

UNITED STATES DISTRICT COURT
for the

Southern District of Alabama

United States of America)
v.)
Thomas Matthew McVicker) Case No. *MJ 19-0147-B*
)
)
)
)
)
Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 2019 in the county of Baldwin in the
Southern District of Alabama, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code,
Section 875(c) Interstate Transmission of Threat to Injure

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

Ketrick Kelley
Complainant's signature

Ketrick Kelley, FBI Special Agent
Printed name and title

Sworn to before me and attestation acknowledged pursuant to FRCP 4.1(b)(2).

Date: August 16, 2019

Sonja F. Bivins
Judge's signature

City and state: Mobile, Alabama

Sonja F. Bivins, U. S. Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA

IN THE MATTER OF THE COMPLAINT
AGAINST THOMAS MATTHEW
MCVICKER, TITLE 18, U.S.C. § 875(c)

Mag. No. _____

Filed Under Seal

AFFIDAVIT

INTRODUCTION

I, Ketric Kelley (hereafter Affiant), being duly sworn, hereby depose and say:

1. Affiant makes this affidavit in support of criminal complaint.
2. Affiant has been employed as a Special Agent of the Federal Bureau of Investigation since August 1999. While assigned to the FBI, Affiant has investigated and assisted with investigating federal criminal violations related to high technology or cyber crime, child exploitation, and child pornography, violent incident crimes, gang investigations, narcotics investigations, and counter terrorism. Affiant has gained experience through extensive investigations of violent incident crimes and has working experience in working terroristic threats violations. Affiant is a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. § 875 and 875(c), and is authorized by the Attorney General of the United States to request this arrest warrant.
3. Affiant respectfully submits that there is probable cause to believe that THOMAS MATTHEW MCVICKER has made credible threats to conduct a mass shooting and suicide. Affiant tenders this affidavit in support of a criminal complaint and application authorizing an arrest warrant of THOMAS MATTHEW MCVICKER, DOB: 12/26/1980, SSN: 523-41-1617, Residence: Punta Gorda, FL.

4. The statements contained in this affidavit are based in part on:
 - a. Information provided by FBI Special Agents;
 - b. Written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents;
 - c. My training and experience as a Special Agent with the FBI.
5. Because this affidavit is being submitted for the limited purpose of securing authorization for the requested arrest warrant, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish the necessary foundation for the requested warrant.

RELEVANT STATUTES

6. This investigation concerns alleged violations of: 18 U.S.C. § 875(c), Interstate Communications.
7. 18 U.S.C. § 875(c) states “Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both”

BACKGROUND OF THE INVESTIGATION AND PROBABLE CAUSE

8. On August 12, 2019, Task Force Officer (TFO) Rebecca Petrusis of the Tampa Division of the FBI received information that subject, Thomas Matthew McVicker is threatening to conduct a mass shooting and suicide. TFO Petrusis made contact with the complainant, [REDACTED] [REDACTED], who advised the following:

9. [REDACTED] and McVicker have been friends since 2006 and have maintained communication off and on throughout the years. [REDACTED] currently resides in Fairhope, Alabama

and stated that McVicker is semi-truck driver who lives in his truck. In July 2019, McVicker and [REDACTED] began communicating regularly through text message and voicemail on his cell phone ([REDACTED]).

10. On August 9, 2019, McVicker sent [REDACTED] a series of text messages about conducting a mass shooting. McVicker told [REDACTED] "I was thinking about shooting a church up but I'm afraid how it will affect my family in the flesh after I'm gone. So I think I'm just gonna kill some people on the street and get away with it then kill myself." [REDACTED] told McVicker that he is sick and asked why he wants to kill innocent people, to which McVicker advised that "They put spiritual snakes and spiders in my bed at night. I've only seen them a couple of times but they take form and I can feel them crawling on me and under me. If one really bites me I could die. They bit me on my throat twice and almost killed me but I was too strong."

11. [REDACTED] advised McVicker to seek help and he replied "I'm telling you there won't be a glorious turn around for me I'm going to be gone soon forever." McVicker continues to tell [REDACTED] that evil "entities" entered his body and are torturing him. He further stated that he has been in a mental hospital three times and is on medication and has been told he is delusional, but he knows that it is real.

12. On August 12, 2019, TFO Petrusis made contact with McVicker's mother, [REDACTED], who confirmed that McVicker is under treatment and on medication for schizophrenia. She also confirmed that she does often claim to be possessed by demons and hears voices. [REDACTED] confirmed that McVicker is currently in possession of a Ruger P90 handgun and sometimes uses cocaine and methamphetamine. McVicker told [REDACTED] that he plans to take time off work on August 22, 2019, while in Memphis, Tennessee.

13. On August 14, 2019, at approximately 9:11 pm EST, [REDACTED] called TFO Petrusli to advise that she just completed a telephone call with McVicker on the aforementioned cellular phone number. [REDACTED] advised that McVicker was erratic and told her that he was going to "shoot up" a church when he is in Memphis on August 22. [REDACTED] stated that McVicker was speaking in a frantic manner and told her that he intended to take his knife and slit the pastor's throat. [REDACTED] said that McVicker was sometimes incoherent and she did not discern an exact location; however McVicker insisted that "something" would happen when he was in Memphis.

14. On August 15, 2019, TFO Petrusli confirmed with McVicker's employer, [REDACTED] [REDACTED], is in receipt of a leave request submitted by McVicker for August 22, 2019.

The leave request indicated that McVicker would spend his leave time in Memphis.

15. On August 15, 2019, Affiant met with [REDACTED] With the consent of [REDACTED], affiant reviewed all text message conversations between McVicker and [REDACTED] on [REDACTED]' cellphone. Affiant confirmed the content of the aforementioned text messages, as outlined in the preceding paragraphs. [REDACTED] also provided affiant with screenshots of the aforementioned text message communications with McVicker. Affiant confirmed with [REDACTED] the content of the voice conversation she had with McVicker the previous day, concerning McVicker carrying out a mass shooting at a church in Memphis, Tennessee on August 22, 2019.

CONCLUSION

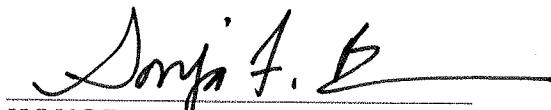
Based on the foregoing, Affiant respectfully submits there is probable cause to believe that McVicker has transmitted in interstate commerce messages from various locations within the United States to Fairhope, AL that contain clear threats to conduct a mass shooting and

suicide, in violation of Title 18 § 875(c).



Ketrick Kelley
Special Agent, FBI
Federal Bureau of Investigation

THE ABOVE AGENT HAS ATTESTED
TO THIS AFFIDAVIT PURSUANT TO
FED. R. CRIM. P. 4.1(b)(2)(B) THIS 16th
DAY OF AUGUST 2019



HONORABLE SONJA F. BIVINS
UNITED STATES MAGISTRATE JUDGE